

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF MISSISSIPPI
NORTHERN DIVISION

CHRISTOPHER L. HEITMANN

PLAINTIFF

V.

CIVIL ACTION NO. 3:22-CV-85-KHJ-MTP

PLANET FIT INDY 10 LLC; PLANET
FITNESS FRANCHISING LLC; PLANET
FITNESS d/b/a UNTIED PF JLM, LLC;
PLANET FITNESS d/b/a UNITED PF
ROB, LLC; JOHN DOES 1-10; and
XYZ CORP 1-9

DEFENDANTS

ORDER

Before the Court are Defendants Planet Fitness d/b/a United PF JLM, LLC, Planet Fitness d/b/a United PF ROB, LLC, and Planet Fitness Franchising LLC's Motions to Dismiss [2 & 4].

On February 28, 2022, Defendants Planet Fitness d/b/a United PF JLM, LLC, Planet Fitness d/b/a United PF ROB, LLC, Planet Fit Indy 10 LLC, and Planet Fitness Franchising LLC filed Motions to Dismiss. [2, 3, & 4]. Plaintiff Christopher Heitmann did not timely respond to the motions, so on March 21, 2022, the Court ordered him to either respond to Defendants' motions [2, 3, & 4] or to confess that the motions should be granted. The Court allowed Heitmann until March 25th to respond. Heitmann only responded to Planet Fit Indy 10 LLC's Motion to Dismiss [3] and not the other two motions. *See* [9].

On March 28, 2022, Heitmann's counsel informed the Court that Heitmann confesses that motions [2 & 4] should be granted. The Court therefore grants the Motions to Dismiss [2 & 4] and dismisses Planet Fitness d/b/a United PF JLM, LLC, Planet Fitness d/b/a United PF ROB, LLC, and Planet Fitness Franchising LLC with prejudice.

SO ORDERED AND ADJUDGED this the 28th day of March, 2022.

s/ *Kristi H. Johnson*
UNITED STATES DISTRICT JUDGE